



Public Notice

Applicant:

Fort Firelands Resorts
Ltd.

Date:

Published: Nov. 27, 2000

Expires: Dec. 27, 2000

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-CO-R RE:** 85-479-29(1) **Section:** OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Fort Firelands Resorts Ltd., 5650 East Harbor Road, Marblehead, Ohio 43440, has requested a Department of the Army (DA) Permit to perform maintenance dredging within their mooring basin in West Harbor (Lake Erie), Ottawa County, Ohio.

The project consists of the following:

- a. Approximately 35,000 cubic yards of silt and clay will be hydraulically dredged during the initial dredging operation, to reach a depth of 564.8 feet International Great Lakes Datum (IGLD), 1985. This depth will be maintained during periodic dredging operations. The dredging is proposed for two channels. The first is approximately 55 feet wide and runs in a northeasterly direction from an existing stone jetty for approximately 1270 linear feet. The second is approximately 60 feet wide and runs along the entire property shoreline for approximately 2150 linear feet.
- b. The dredged material will be placed in an upland location on site, in a bermed area with a proposed weir and decanting device to prevent contamination of the return water by sediments. See sheets 5 through 8 of 8 for details.
- c. Previous Department of the Army Permits have been issued for this property. DA No. 73-001-107 authorized the construction of the jetty and the installation of stone erosion protection, and DA No. 82-479-31 authorized the installation of 61 floating docks.

The applicant's stated purpose is to provide adequate water depth to accommodate recreational vessels during low water levels, since the mooring basin is currently unusable.

Department of the Army authorization is required under Section 10 of the Rivers and Harbors Act of 1899 for dredging, and also under Section 404 of the Clean Water Act for the discharge of returned water from the dredged material bermed containment area.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: Elizabeth.W.Stone@usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Don Povolny or Ms. Kim Baker
Ohio Department of Natural Resources
Division of Real Estate and Land Management
Resource Management Section
1952 Belcher Drive, Building C-4
Columbus, Ohio 43224-1386
Telephone (614) 265-6411
FAX (614) 267-4764
e-mail: kim.baker@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: Elizabeth.W.Stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

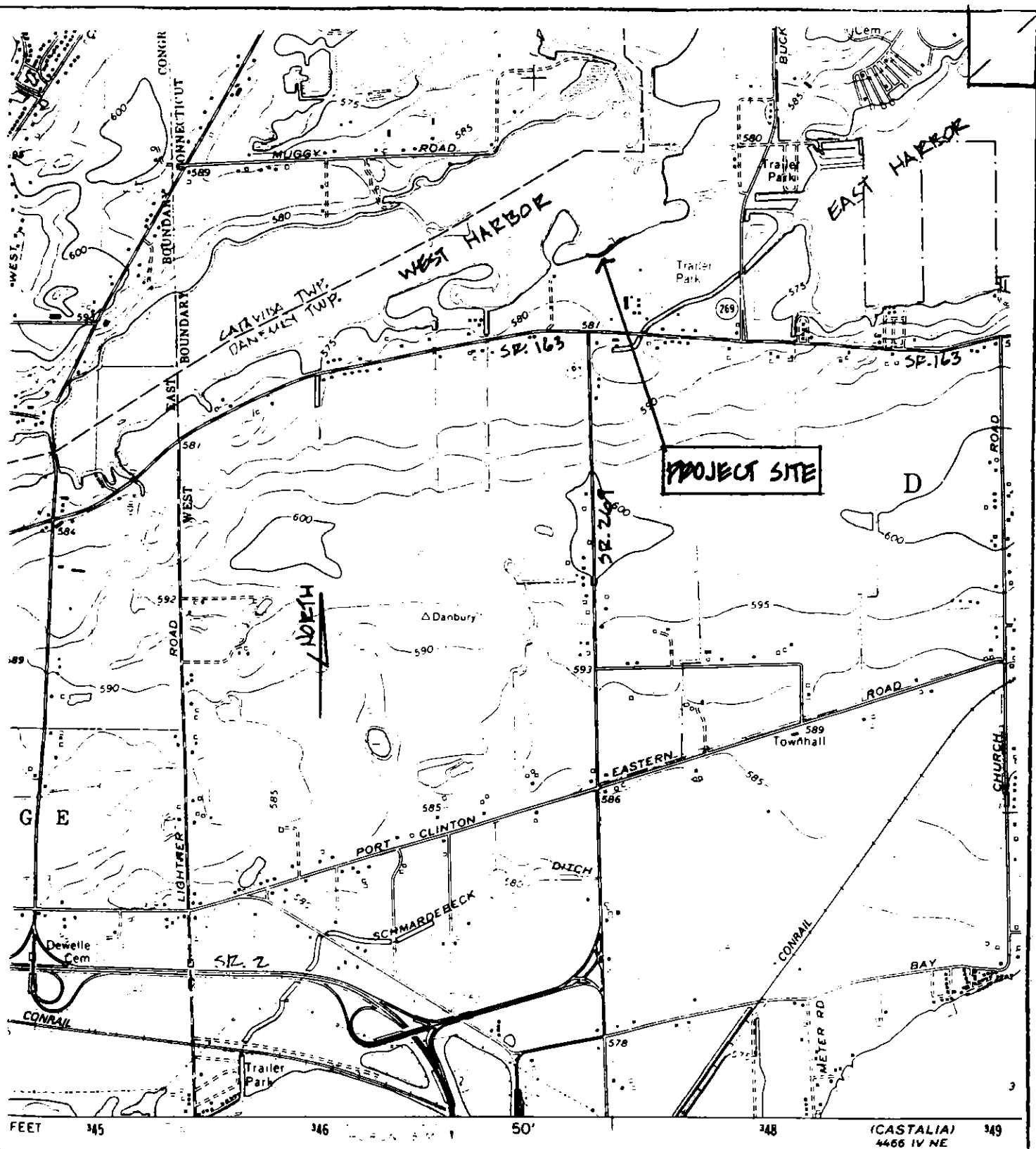
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the

proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

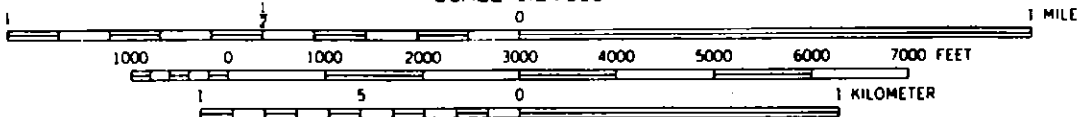
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Alan R. Anacheta-Nasimery
for Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



SCALE 1:24,000

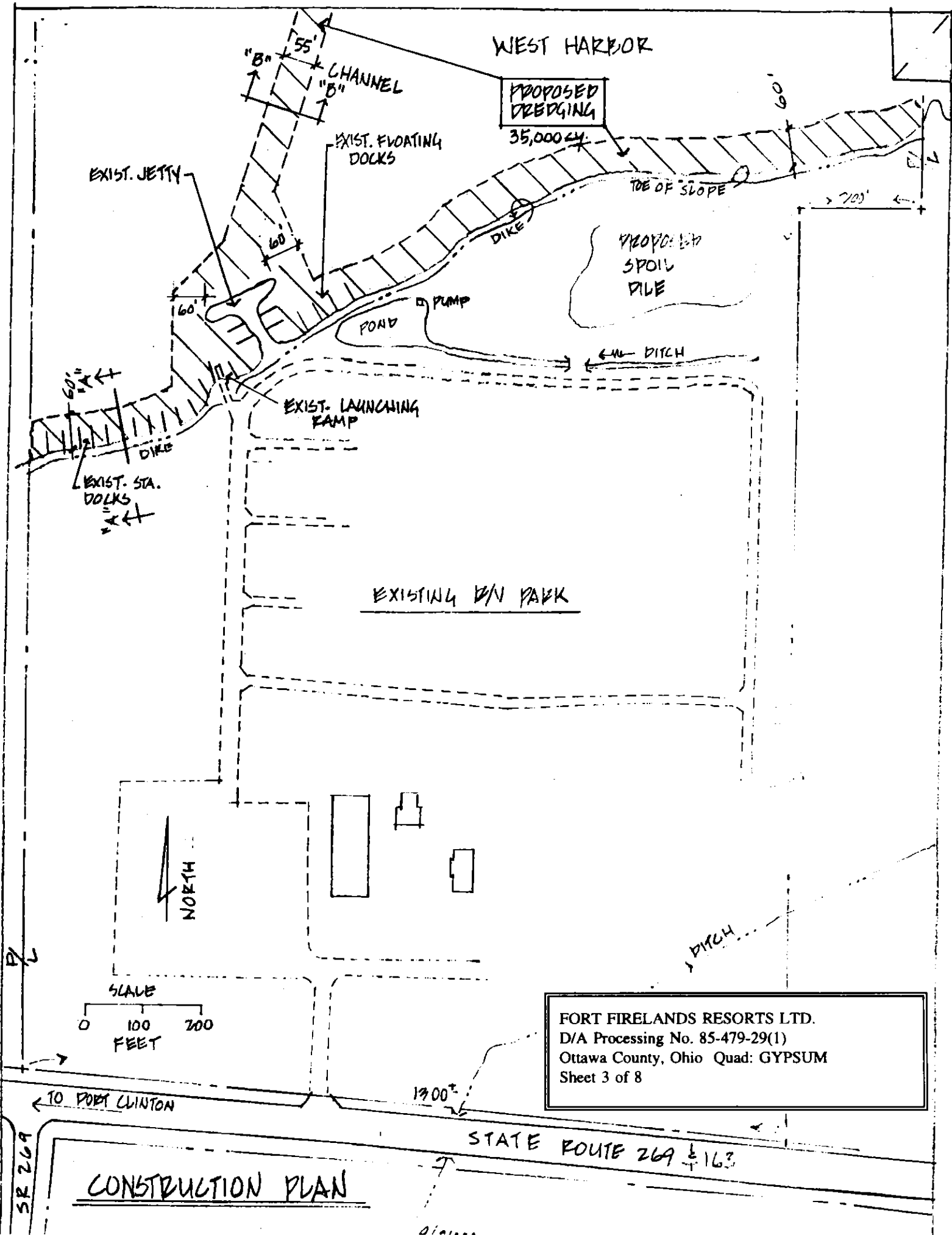


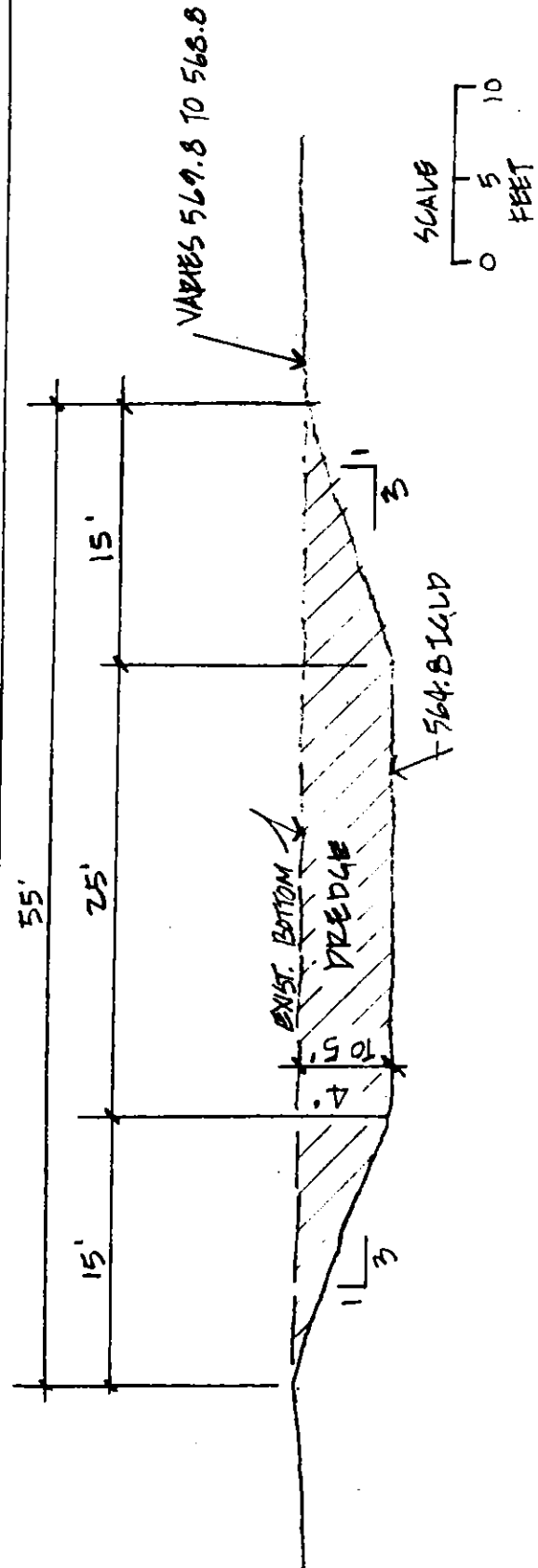
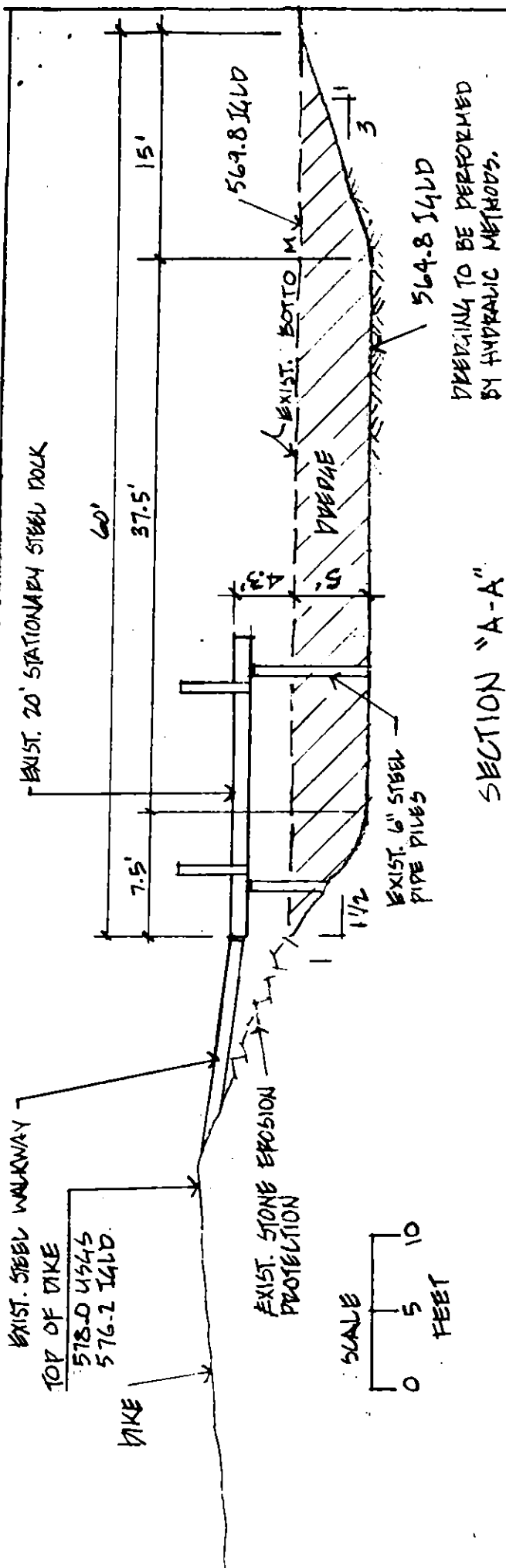
VICINITY MAP

Plans Prepared by:
Don C. Waggoner, P.E., Inc.
124 E. Second Street
Port Clinton, OH 43452

FORT FIRELANDS RESORTS LTD.
D/A Processing No. 85-479-29(1)
Ottawa County, Ohio Quad: GYPSUM
Sheet 1 of 8

9/2000



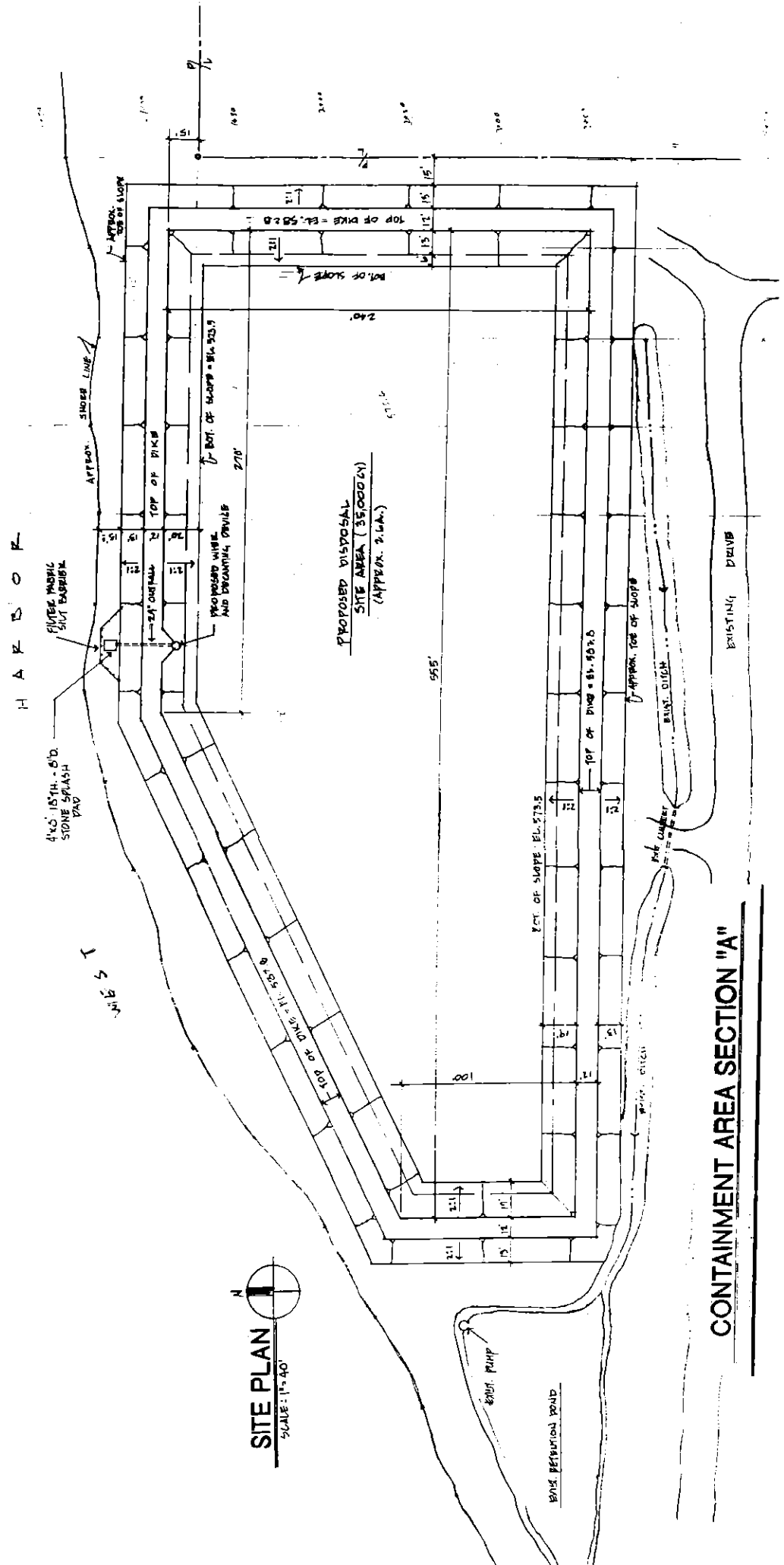


PROPOSED DREDGING PROJECT FOR:

FORT FIRELANDS RESORTS LTD.
D/A Processing No. 85-479-29(1)
Ottawa County, Ohio Quad: GYPSUM
Sheet 4 of 8

9/2000

FORT FIRELANDS RESORTS LTD.
 D/A Processing No. 85-479-29(1)
 Ottawa County, Ohio Quad: GYPSUM
 Sheet 5 of 8

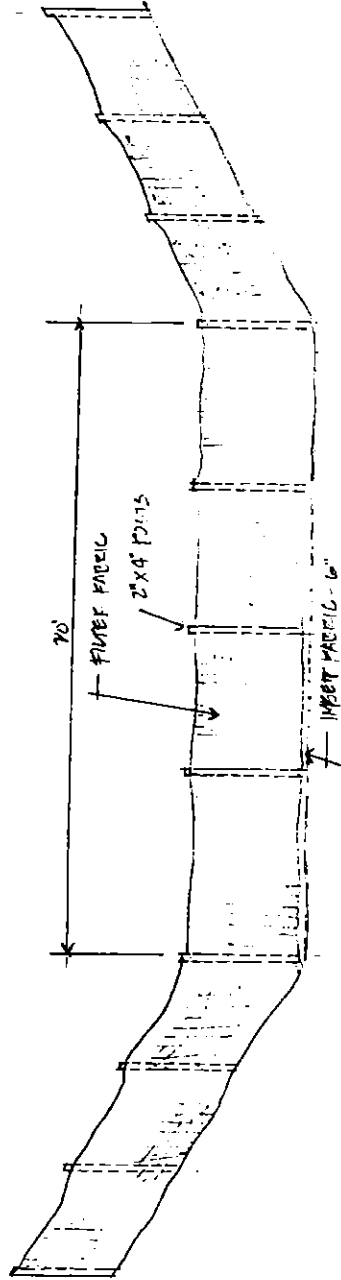


FILTER FABRIC BARRIER NOTES

MATERIALS: FILTER FABRIC SHALL MEET THE REQUIREMENTS OF ODOT CHS 207.02.

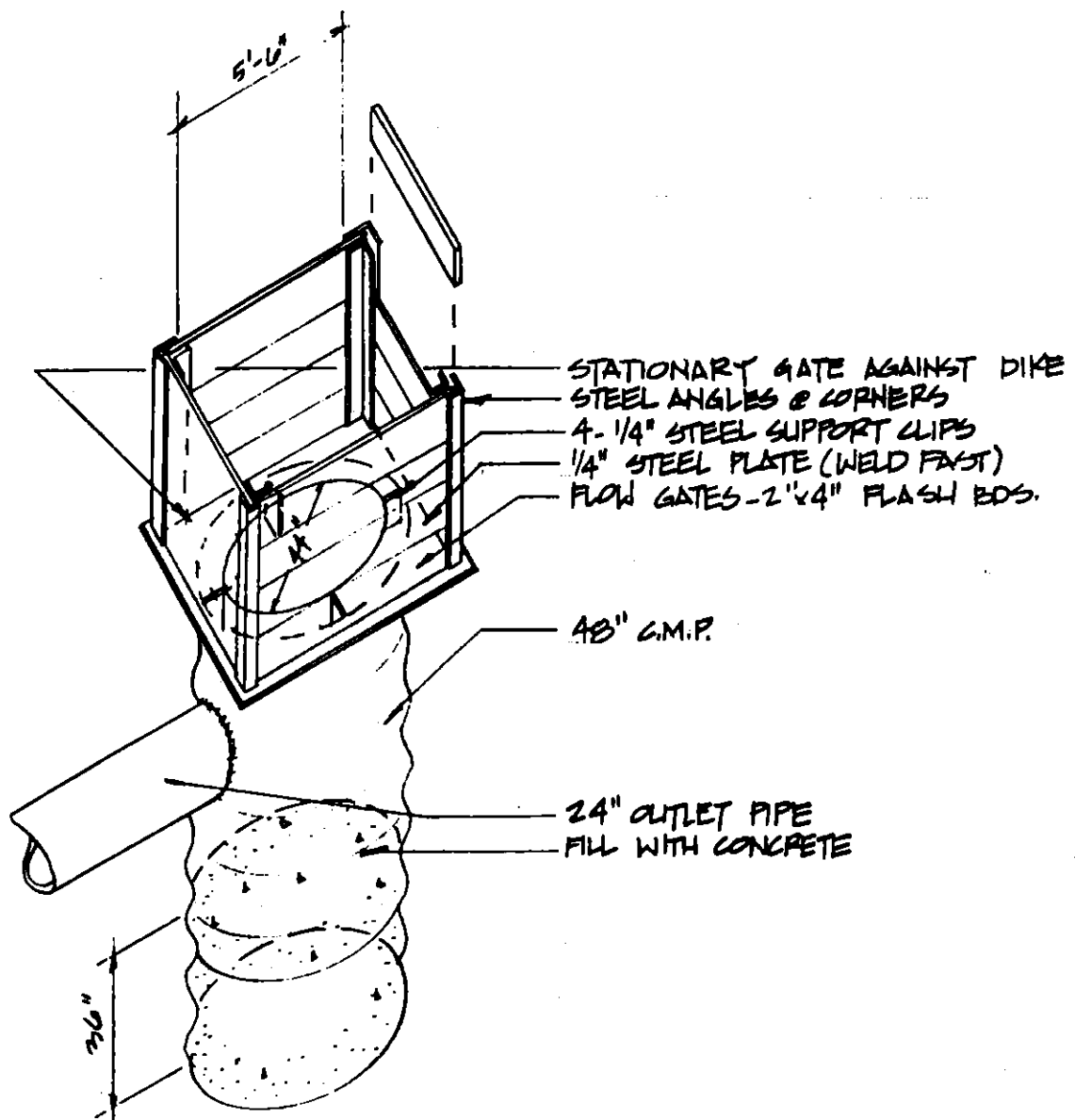
CONSTRUCTION: THE BOTTOM OF THE FABRIC SHALL BE BURIED 6 INCHES BELOW THE GROUND. THE FABRIC SHALL BE HIGH ENOUGH TO RETAIN SEDIMENT-LADEN WATER AND ADEQUATELY SUPPORTED TO PREVENT COLLAPSE OR BURSTING. THE GROUND ELEVATION OF THE FENCE SHALL BE HELD CONSTANT EXCEPT THAT THE END ELEVATIONS SHALL BE RAISED TO PREVENT FLOW AROUND THE END OF THE FENCE.

MAINTENANCE: THE FILTER FABRIC FENCE SHALL BE MAINTAINED TO BE FUNCTIONAL. THIS SHALL INCLUDE REMOVAL OF TRAPPED SEDIMENT AND REQUIRED CLEANING, REPAIR, AND/OR REPLACEMENT OF THE FILTER FABRIC. SEDIMENT SHALL BE REMOVED WHEN ITS DEPTH REACHES HALF THE HEIGHT OF THE LOWEST SECTION OF FENCE.



SILT BARRIER

FORT FIRELANDS RESORTS LTD.
D/A Processing No. 85-479-29(1)
Ottawa County, Ohio Quad: GYPSUM
Sheet 7 of 8



WEIR DECANTING DEVICE

(NO SCALE)